

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHEN XIA LIU and CHEN HUA LIU,

Plaintiffs,

Index No.: 20-cv-6369-FB-RER

-against-

HOK KWAI CHAU,
BO JIN ZHU,
WING FUNG CHAU, a/k/a ANDY CHAU,
SALENA CHAU,
TU KANG YANG,
MEI YANG KO,
WING FUNG HOME REALTY GROUP INC.,
WING FUNG CHAU D/B/A
WING FUNG REALTY GROUP

**AFFIDAVIT OF
TU KANG YANG**

Defendants.

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I, Tu Kang Yang, hereby declare under penalty of perjury the following:

1. I am a defendant in the action of CHEN XIA LIU and CHEN HUA LIU v. HOK KWAI CHAU, et al. with an index number of 20-cv-6369 which was filed in the United States District Court of the Eastern District of New York (the "Action").

2. As such, I am fully familiar with the relevant facts and circumstances.

3. I am not the granddaughter of Defendant Mei Yang Ko.

4. I am not a family member of any of the other defendants to the Action.

5. I was not involved in the negotiations for, am not a party to, and am in no way involved with Plaintiffs Chen Xia Liu and Chen Hua Liu's ("Plaintiffs") contract to purchase a four-family house from 41-23 Haight Realty Inc. at 41-15 Haight Street, Flushing, New York.

6. On or about March 20, 2020, I, with Salena Chau, made a stalking horse bid (the "Bid") to acquire the real property of bankruptcy debtor 41-23 Haight Realty Inc. (the "Properties").

7. The Bid was accepted by the bankruptcy trustee and the court. See Exhibit A.

8. I made the Bid using my own funds because having evaluated the potential deal, as an investor, I thought the Bid would be a good investment opportunity.

9. Unfortunately, I was ultimately unable to acquire the necessary funds to make a successful bid on the Properties.

10. Because I was unable to secure the necessary funds to support the Bid, on or about November 22, 2020, the bankruptcy court granted the bankruptcy trustee's motion to retain the balance of the partial deposit I had made in connection with the Bid. Se Exhibit B.

11. I have not played any part in directing the affairs of any of the other defendants to the Action.

12. Prior to this Action, I had never met the Plaintiffs, and have never had any business interactions of any kind with the Plaintiffs.

13. I have never been an owner, shareholder, or officers of 41-23 Haight Realty Inc.

14. I have not played any part in directing the affairs of 41-23 Haight Realty Inc..

WHEREFORE, I respectfully request an order dismissing this action against me, granting reasonable attorneys' fees, costs, fees, and disbursements, and such other and further relief as the Court may deem just and proper.

Dated: April 29, 2021


TU KANG YANG

Sworn to before me on this
29th day of April, 2021



NOTARY PUBLIC

XUE JING HUANG
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02HU6357821
Qualified in QUEENS County
Commission Expires April 24, 2025